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Attorneys for Plaintiff  
CAROLYN MARTIN

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CAROLYN MARTIN

Plaintiff,

v.

PASTA MOON, INC ;  
ROBERT MASCALL AND SUSAN  
WOOD ELL - M A S C A L L ,  
TRUSTEES OF THE ROBERT  
MASCALL REVOCABLE TRUST;  
and DOES 1-25, Inclusive,

Defendants.

CASE NO. C 08-05577 CW  
Civil Rights

**STIPULATION AND ORDER  
FOR DISMISSAL**

FRCP section 41 (a) (1) (ii)

Plaintiff Carolyn Martin and defendants Pasta Moon, Inc. and Robert Mascall And Susan Woodell Mascall, Trustees Of The Robert Mascall Revocable Trust, by and through their attorneys of record, file this Stipulation of Dismissal pursuant to Federal Rule of Civil Procedure section 41 (a) (1) (ii).

Plaintiff filed this lawsuit on December 15, 2008.

Plaintiff and defendants have entered into a "Mutual Release And Settlement Agreement" which settles all aspects of the lawsuit against all defendants. A copy of the "Mutual Release And Settlement Agreement" is incorporated by reference herein as if set forth in full. Plaintiff and defendants stipulate to the court retaining jurisdiction to enforce the "Mutual Release And Settlement Agreement."

Plaintiff moves to dismiss with prejudice the lawsuit against defendants.

1 Defendants, who have answered the Complaint, agree to the dismissal with  
2 prejudice.

3 This case is not a class action, and no receiver has been appointed.

4 This Stipulation and Order may be signed in counterparts, and facsimile  
5 signatures shall be as valid and as binding as original signatures.

6 Wherefore, plaintiff and defendants, by and through their attorneys of  
7 record, so stipulate.

8 Date: July 24, 2009

SIDNEY J. COHEN  
PROFESSIONAL CORPORATION  
/s/ Sidney J. Cohen

10 Sidney J. Cohen  
11 Attorney for Plaintiff Carolyn Martin

12 Date: July 24, 2009

HAIGHT BROWN & BONESTEEL  
LLP  
/s/ Nairi Chakalian

14 Nairi Chakalian Attorney for  
15 Defendant Robert Mascall And  
16 Susan Woodell Mascall, Trustees Of  
The Robert Mascall Revocable  
Trust

17 Date: July 28, 2009


VALERIAN, PATTERSON &  
STRATMAN  
/s/ Edward J. Rodzewich

19 Edward J. Rodzewich, Attorney for  
20 Defendant Pasta Moon, Inc.

21 PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED:

22 The lawsuit against defendants is dismissed with prejudice. The Court  
23 shall retain jurisdiction to enforce the parties' "Mutual Release And Settlement  
24 Agreement."

25 Date: 8/4/09

  
26 Claudia Wilken  
27 United States District Judge  
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